

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS DIVISION

FILED

FEB 10 2017

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

ALLEN MOORE,

PLAINTIFF,

v.

GREGORY SCOTT, Facility Dir.,

ILLINOIS DEPARTMENT OF HUMAN SERVICES,

Treatment and DETENTION Facility.

DEFENDANT.

No. 17-CV-145-SMY-RJD

MOTION FOR LEAVE TO FILE APPLICATION
FOR WRIT OF MANDAMUS INSTANTER

Now Comes, Plaintiff, ALLEN MOORE, Acting Pro-Se, and on behalf of himself, respectfully moves this Honorable Court for Leave to File an APPLICATION for Writ of Mandamus Instanter. In support of this motion, plaintiff states as follows:

1. Allen Moore, is presently committed as a Sexually violent Person. He has been committed to the Illinois Department of Human Services, at its Treatment and Detention

CERTIFICATE OF SERVICES

The undersigned, being first duly sworn upon oath, deposes and states that a copy of the aboved was mailed on February 7, 2017, by depositing said copies in the United States mail at 17019 County Farm Road, Bushville, Illinois in an envelope bearing a sufficient amount of postage.

AM Moore

SUBSCRIBED AND SWORN to before me
this 7th day of February 2017

Sarah Dodds
Notary Public

SARAH DODDS
Official Seal
Notary Public - State of Illinois
My Commission Expires Sep 1, 2019

1 IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
2 ST. CLAIR COUNTY, ILLINOIS
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6 IN RE THE COMMITMENT OF)
7 ALLEN MOORE,) Case No. 05-MR-199
8 Respondent.)
9)

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12 REPORT OF PROCEEDINGS

13 Before the HONORABLE LANINYA CASON, Associate Judge, and a
14 Jury

15 November 6, 2014

16 VOLUME III OF III
17

18 APPEARANCES:

19 MR. PATRICK O'BRIEN and MS. NICOLE NELSON,
20 Assistant Attorneys General,
On Behalf of the People.

21 MR. ANDREW LIEFER, Assistant Public Defender,
22 On Behalf of the Respondent.

23 MONICA L. SCHRADER, CSR
24 Official Court Reporter
CSR License No. 084-004267

1 entering a judgment instanter on the jury's verdict that the
2 respondent, Allen Moore, is a sexually violent person.

3 MR. MOORE: Your Honor, may I address the Court?

4 THE COURT: You have to talk with your attorney.

5 MR. O'BRIEN: What time do we want to do the phone
6 conference?

7 THE COURT: This is going to be a phone conference?

8 MR. O'BRIEN: I think that's what we're talking
9 about doing.

10 THE COURT: In the morning or afternoon, 11:00?

11 MR. MOORE: Your Honor, he say he don't mind if I
12 address the Court.

13 THE COURT: Sure.

14 MR. MOORE: Your Honor, first of all, I'd like to
15 enter into the record that I really would like to appeal this
16 case. As soon as possible I would like an attorney appointed
17 to the case so I can meet with them so we can get together,
18 things such as issues of ineffective assistance of counsel
19 that I need to raise it post-trial, prior to an appeal so I
20 need an attorney to get in touch with me as soon as possible
21 so we can start working together so we'll start getting this
22 thing rolling. Because guys up at the facility, once you get
23 committed you're in there many, many years, many years just
24 awaiting trial, awaiting post-trial appeals and stuff, guys

1 are waiting two and three years and I'm trying --

2 THE COURT: I understand that. First of all, we
3 haven't had a dispositional hearing yet, so I haven't even
4 given a ruling as to what am I going to do with you; are you
5 going to be confined to an institutional facility, or are you
6 going to be placed on supervised release. So those are the
7 things that we have to grapple with.

8 But judgment is entered on the verdict today and I'm
9 certain that your lawyer, your current lawyer who is not off
10 the case yet, will speak to you about your appellate rights,
11 okay.

12 MR. MOORE: Okay.

13 THE COURT: And then if there's an appointment
14 needed I'm fairly certain -- well, I'm not going to say I'm
15 fairly certain -- the appellate defender may be available for
16 you.

17 MR. MOORE: Okay. Thank you.

18 THE COURT: Okay.

19 MR. O'BRIEN: And we'll be contacting the holding
20 to arrange to have him brought back.

21 THE COURT: Okay.

22 MR. O'BRIEN: That will be either -- we expect that
23 to be either later today or tomorrow.

24 MR. LIEFER: Judge, he wants to know if he can

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2 STATE OF ILLINOIS)
3 TWENTIETH JUDICIAL CIRCUIT) SS.
4 COUNTY OF ST. CLAIR)
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7 I, MONICA L. SCHRADER, CSR, Official Court
8 Reporter, certify the foregoing to be a true and accurate
9 transcript of the proceeding in the above entitled cause.
10
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12

13
14 Monica L. Schrader

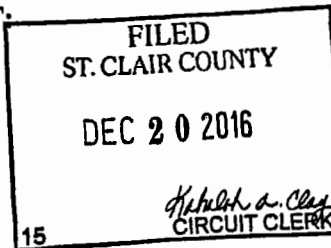
15 MONICA L. SCHRADER, CSR
16 Official Court Reporter
17 CSR License No. 084-004267
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19
20 DATE: July 15, 2014
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IN THE CIRCUIT COURT FOR THE TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS

IN RE THE COMMITMENT OF
ALLEN MOORE,

Respondent.



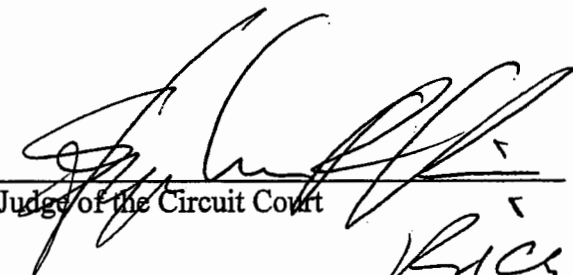
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SEXUALLY VIOLENT PERSON DISPOSITIONAL ORDER

This Court, having reviewed predisposition examination reports prepared pursuant to order of this Court, the testimony of Dr. Kimberly Weitzl, Dr. Shan Jumper and Dr. Luis Rosell and heard argument of counsel, this Court has sufficient information to make a determination required by consideration of the factors set forth in 725 ILCS 207/40(b)(2). Respondent is ORDERED to the care, custody and control for treatment to the Department of Human Services until such time as Respondent is no longer a sexually violent person. Respondent's commitment shall be for institutional care in a secure facility.

Entered: _____

12/20/16


Judge of the Circuit Court

Rice



KAHALAH A. CLAY

Clerk of the Circuit Court

St. Clair County, Illinois

10 Public Square • Suite A-315 • Belleville, IL 62220-1623

(618) 277-6832

Fax: (618) 277-1562



Lu Ann Henry
Chief Deputy
Ext. 2324

Connie Warner
Office Manager
Ext. 2320

January 26, 2017

Allen Moore

Illinois Department of Human Services

Treatment & Detention Facility

17019 County Farm Rd.

Rushville, IL 62681

RE: In the Detention of Allen Moore

St. Clair County Case No. 05-MR-199

Dear Mr. Moore,

Please be advised that before our office can begin to prepare the record on appeal we will need payment of \$60.00 to cover the cost of preparation.

The application to file as an indigent person does not include the preparation of appeals nor does it include the Appellate costs.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Cassie Voelkel".

Cassie Voelkel

Supervisor of the Civil Division



Handwritten text, likely a return address or recipient information, including "The United States" and "District of Columbia".

Handwritten text, likely a return address or recipient information, including "The United States".

Handwritten text, likely a return address or recipient information, including "District of Columbia".



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